

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DAVID JEFFREY CENEDELLA,

Plaintiff,

v.

BRISTOL MYERS SQUIBB CO., a
Delaware corporation doing business in
Washington,

Defendant.

CASE NO. 2:23-cv-274

ORDER TO SHOW CAUSE

The Court raises this matter sua sponte. With limited exceptions that do not apply here, plaintiffs must serve defendants with a summons and a copy of the complaint within 90 days of filing their complaint. Fed. R. Civ. P. 4(m). If proper service is not made within this time, the Court may on its own accord after notice to the plaintiff dismiss the action for failure to achieve timely service. *Id.*

Plaintiff David Jeffrey Cenedella filed his complaint on February 27, 2023. Dkt. No. 1. A summons was issued on March 2, 2023. Dkt. No. 4. So the time for serving the summons and complaint—90 days later—expired on May 28, 2023. No

1 proof of service was filed, and Defendant Bristol Myers Squibb Co. has not
2 appeared. *See* docket generally.

3 Therefore, it is ORDERED that Cenedella show cause within 14 days of the
4 date of this Order why this matter should not be dismissed without prejudice under
5 Fed. R. Civ. P. 4(m) for failure to effect timely service.

6 Dated this 9th day of November, 2023.

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Jamal N. Whitehead
9 United States District Judge